

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE IDEANOMICS, INC. DERIVATIVE  
LITIGATION

Lead Case No. 1:20-CV-05333-GBD

**PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR  
FINAL APPROVAL OF SETTLEMENT**

**PLEASE TAKE NOTICE** that on March 1, 2022 at 10:00 a.m., or as soon thereafter as the matter may be heard before the Honorable George B. Daniels, United States District Court Judge for the Southern District of New York, 500 Pearl Street, New York, NY 10007, Plaintiffs Ali Toorani and Joe Elleisy, Jr. by and through their undersigned counsel, hereby move the Court, for an order providing for: (i) final approval of the Settlement set forth in the Stipulation of Settlement, dated December 10, 2021 ("Stipulation")<sup>1</sup>; (ii) entry of the [Proposed] Order and Final Judgment, submitted herewith, and dismissal of all claims; (iii) an award of the Fee and Expense Award and Plaintiffs' Service Awards; and (iv) such other and further relief as the Court deems appropriate (the "Motion").

The Motion is based on this notice of motion, the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Final Approval of Settlement, the Stipulation and exhibits thereto, the Declaration of Timothy Brown, the Declaration of Phillip Kim, the Declaration of Thomas J. McKenna, the Court's record on this matter, and other evidence and argument that may be presented prior to the Court's decision on the Motion.

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<sup>1</sup> Unless otherwise defined herein, all defined terms shall have the meanings as set forth in the Stipulation which was submitted to the Court as Exhibit 1 to the Declaration of Timothy Brown in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Settlement on December 13, 2021. (ECF No. 39).

Dated: February 1, 2022

Respectfully submitted,

**THE ROSEN LAW FIRM, P.A.**

By: /s/ Phillip Kim

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*Co-Lead Counsel for Derivative Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 1, 2022, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Phillip Kim  
Phillip Kim